

# **EXHIBIT C**



1 think, took about 2 hours and 40 minutes. I don't know if I'll  
2 be above that, but I'm in the range plus or minus.

3 THE COURT: Okay. Anything else that needs to come to  
4 the Court's attention before we recess?

5 MR. KELLY: No, your Honor.

6 MR. FRANK: Not for the government.

7 THE COURT: We are in recess for 15 minutes.

8 (Recess taken 11:06 a.m. to 11:23 a.m.)

9 THE COURT: Good morning, counsel. Two things before  
11:27 10 we call the jury back. Over the break, the Court was  
11 petitioned by the press to release copies of the phone call  
12 transcripts. I see no reason why they ought not to be  
13 provided. Do counsel have any reason to object?

14 MR. KELLY: Defer to the Court, your Honor.

15 MR. KENDALL: Your Honor, given the nature of the  
16 publicity that we have with the Zoom access call, I am very  
17 concerned about sequestration. I have no problem with them  
18 being released at the end of the trial, but while we're trying  
19 to sequester witnesses scattered all over the country with this  
11:27 20 sort of obsessive publicity on the case, I think it creates a  
21 risk.

22 MR. KELLY: I actually defer to Mr. Kendall, your  
23 Honor. I withdraw that.

24 MR. KENDALL: As I said your Honor, I don't have a  
25 problem with public access when this trial is over. The rules

1 are the rules and we respect them, but we've got a lot more  
2 witnesses coming forward.

3 THE COURT: This is just the transcripts that we've  
4 been reading from and obviously have been quoted from  
5 extensively to this point.

6 MR. KENDALL: I understand, your Honor.

7 THE COURT: The reasons given were so that if they  
8 were going to quote anything, they would quote it accurately  
9 and not misquote anybody.

11:28 10 MR. KENDALL: Somehow I'm never enthused with the  
11 quoting that they do, your Honor. I'm just trying to be  
12 practical. I'm not citing a rule or pounding the table. I'm  
13 just a cautious person.

14 THE COURT: I hear you.

15 Mr. Frank, what's the government's position?

16 MR. FRANK: We don't have a position, your Honor,  
17 other than to note that the exhibits themselves, the audio is  
18 public record at this point once it's introduced, and so it's  
19 not clear if the transcripts really do much more in terms of  
11:28 20 publicity other than, as your Honor pointed out, making sure  
21 that any quotations from the audio is accurate.

22 MR. KENDALL: Your Honor, that's the point  
23 Ms. Papenhausen was kind of enough to remind me. We challenge  
24 the accuracy of some of these transcripts. You've heard us do  
25 it already with Agent Brown. We're going to continue it with